



PennState
Dickinson Law

DICKINSON LAW REVIEW

PUBLISHED SINCE 1897

Volume 32
Issue 1 *Dickinson Law Review - Volume 31,*
1927-1928

12-1-1927

Dickinson Law Review - Volume 32, Issue 3

Follow this and additional works at: <https://ideas.dickinsonlaw.psu.edu/dlra>

Recommended Citation

Dickinson Law Review - Volume 32, Issue 3, 32 DICK. L. REV. 66 (1927).

Available at: <https://ideas.dickinsonlaw.psu.edu/dlra/vol32/iss1/3>

This Article is brought to you for free and open access by the Law Reviews at Dickinson Law IDEAS. It has been accepted for inclusion in Dickinson Law Review by an authorized editor of Dickinson Law IDEAS. For more information, please contact lja10@psu.edu.

Dickinson Law Review

VOL. XXXII

December, 1927

No. 3

EDITOR-IN-CHIEF

Carl Rice

ASSOCIATE EDITORS

Clyde E. Carpenter

Nathan Bass

I. Edward Prosen

J. Frederick Thompson

BUSINESS MANAGER

Solomon Hurwitz

ASSISTANT MANAGERS

Fred H. Davis

Wilhelm E. Shissler

Sidney R. Zall

Theodore C. Frederick

J. Sokoloff

Subscription Price, \$1.50 Per Year

NEW RULES PROMULGATED BY THE SUPREME COURT OF PENNSYLVANIA

as to

Registration of Students, The Study of the Law and Admission to the Bar

Introduction by

**ROBERT VON MOSCHZISKER,
CHIEF JUSTICE OF PENNSYLVANIA**

At a meeting of a Special Conference on Legal Education, held at the suggestion of the American Bar Association, in Washington, D. C., February, 1922, a resolution was passed, after considerable discussion, endorsing "the standards with respect to the admission to the bar adopted by the American Bar Association in 1921." One of the standards proposed was that every candidate for the bar

should "give evidence of graduation from a law school" which requires, "as a condition of admission, at least two years of study in a college." Subsequently, the American Bar Association, at its 1927 session, adopted another resolution on the subject of "improving the morale of the legal profession." This last resolution urges the several states to provide "for pre-legal examinations, to be held by the University of the State or by the Board of Law Examiners thereof, for those applicants for admission to the bar (who may be) obliged to make up their preliminary qualifications outside of accredited institutions of learning."

Of the Pennsylvanians attending the Washington conference, Mr. Thomas Patterson, of the Allegheny County Bar, and at that time Chairman of our State Board of Law Examiners, voted against the adoption of the original resolution, as also did the writer of this article. While fully agreeing with the idea that there should be a high standard of preliminary education required of those who desire to study law, we felt that any young person of good character who could reach the standard of academic education agreed on, no matter how he might acquire his knowledge, was entitled to study law with the expectation of being called to the bar, if, at the end of his legal studies, his character was still found to be good and he could pass the law examinations required in his particular jurisdiction.

A college course is undoubtedly the best training for the majority of persons who wish to prepare for the study of a learned profession, and good reasons may be advanced why certain law schools should insist on this as an entrance requirement; but I, for one, had in mind too many non-college men who had achieved places of distinction at the Pennsylvania Bar, to take part in possibly closing the door of our profession against persons like, for instance, John G. Johnson and Mayer Sulzberger, of Philadelphia, and James H. Beal, of Pittsburgh, none of whom enjoyed the privilege of college attendance, yet all of whom were lead-

ers of our profession at a time when the Bar of Pennsylvania contained a large number of pre-eminent lawyers. Mr. Johnson and Mr. Beal had minds peculiarly developed and disciplined for the law, while Judge Sulzberger's training was more comprehensive and varied; but all of them were broadly educated, and, as subsequently shown by their respective careers, amply qualified to study law. While the three Pennsylvanians just mentioned are outstanding examples of self-educated men who proved their right to study law, they are by no means unique; others from all parts of our state could be named. That such men represent a considerable class, is indicated by statistics recently compiled by the Hon. Henry G. Wasson, of our State Board of Law Examiners, from the last law examination conducted by that body. These statistics show that many self-educated persons have minds cultivated to a point which enables them not only to absorb the law but to compete successfully in its study with those who enjoyed a more formal preliminary training. According to Mr. Wasson's figures, of the participants in the last law examination, as between non-college men and those who registered upon degrees, 47 per cent. of the former passed and 59 per cent. of the latter. If, however, we take out of the calculation men from law schools which confine themselves to students holding college diplomas, and consider as a group all other candidates who entered the examination, the statistics in question show that only 37 per cent. of the members of this group who registered on college degrees passed, as against 47 per cent. of non-college men who achieved that result. Some of the best students in this 47 per cent. might have been barred by a college requirement. Therefore, though it be agreed that such a training is a good thing for most persons who intend to study law, yet, in formulating a general plan to govern admissions to our highly public profession, we cannot allow the stock argument—that a rule which is good for the average person ought to control

all—to prevail, if it is possible to find a better way out. This thought led a number of those who had attended the Washington conference to give the subject further consideration; for, on reflection, they found themselves dissatisfied with the results of that meeting. That this dissatisfaction must have been rather general is evidenced by the American Bar Association's subsequent modification of its prior resolution.

The point was made at the Washington conference that all of the most worthy of those who wanted to study law would enter colleges if such a course should be required of them; but I noticed that the men who advanced this argument were those who had not gone through the early struggles, which some have endured, to earn a living for themselves and others, while preparing for a professional career. Moreover, the argument overlooks the fact that persons of the calibre of the distinguished men I have cited absorb knowledge too constantly and acquire it too rapidly to warrant them in setting aside two years of their young lives for special preliminary training and, to that extent, delaying their activities in the law. Men like the three to whom I have called attention, can better do without the profession of the law than the profession can do without them. In short, our objection to the resolution, as originally passed, was that it placed too much stress on the manner in which one's preliminary education was to be gained and not enough on the personality and character which should be possessed by those who aspire to study law and come to the bar. This resolution viewed the profession of the law too exclusively as a learned profession, and did not sufficiently consider the importance of the fact that it represents a field of service demanding a high standard of personal character; because of this oversight, the conference suggested no plan for ascertaining the attributes in that regard of proposed students at law and candidates for the bar.

Though the modification of its prior resolution at this year's session of the American Bar Association indicates a more reasonable view, yet even this change of position fails to show a proper appreciation of the requirements of the situation; but at the annual meeting of the Pennsylvania Bar Association in June, 1925, a movement was started in the right direction. It was there

"Resolved, That a special committee be appointed to co-operate with the Supreme Court of Pennsylvania and its examining board for the purpose of considering the advisability of making changes in the requirements for admission to the Bar of Pennsylvania, of recommending to the Supreme Court such changes in such requirements as seem to such committee practical, and to advise and promulgate ways and means of upholding and maintaining the honor and integrity of the Pennsylvania Bar."

After considering a report, resulting from several conferences between the committee named in pursuance of the above resolution, members of the Supreme Court of Pennsylvania, and a committee of the State Board of Law Examiners, it was decided by the State Bar Association not to suggest at this time "any changes in scholastic requirements for registration and admission to the bar," but to recommend a set of rules designed to bring about more stringent investigation into the moral qualifications of applicants for registration as law students. Rules drawn accordingly have been adopted by the Supreme Court, and this article is intended to serve as an introduction to those rules.

It may be that the new regulations will not accomplish all the results anticipated by those who wish to bring about better conditions, but undoubtedly their adoption is a move in the right direction, which ought to prove helpful. They will at least put members of the bar on notice of the obliga-

tion that rests upon them to look carefully into the moral fitness of young men and women who, by applying for registration as law students, evince a desire to join their ranks; they will also serve notice on prospective students that the profession which they seek to enter demands high personal character. These two results alone are worth striving for, but the new rules will surely accomplish more, since they set up machinery which should go far toward ascertaining the moral fitness of those who would come to the Bar, and also toward keeping such of them as may be accepted as students in actual touch with practicing attorneys of good standing; so that hereafter students will, to some appreciable extent, live in the atmosphere of the law and thus acquire an understanding of the ethics of our profession.

The movement which gave rise to the approval of the new rules was inaugurated by Mr. Harry S. Knight, who offered the resolution passed at the 1925 session of our State Bar Association. Discussion of the Knight resolution was precipitated by a report presented by Judge Miller of Pittsburgh, chairman of the Committee on Legal Education. During this discussion, the late Paul H. Gaither insisted most forcibly that we were in danger of putting too much emphasis on education and not enough on the character of candidates for admission to the bar. Mr. Justice Schaffer suggested that Pennsylvania should adopt a mixture of the old preceptorial plan with the more recent law school method of education, and, if I mistake not, Senator George Wharton Pepper, in one of his discussions of the subject, made a somewhat similar suggestion.

The committee appointed under the State Bar Association resolution consisted of Paul H. Gaither, Chairman, Harry S. Knight, Edward J. Fox, Archibald M. Holding and William S. Dalzell. The chairman, who was ill, requested Mr. Knight to take up the active duties of the post, and the latter and Mr. Dalzell, with Walter C. Douglas, secretary of the State Board of Law Examiners, carried the brunt

of the work of formulating a plan and rules. Mr. Knight states that, in preparing the original plan, he found New York had a committee on character and fitness, which required every applicant for admission to the bar to answer a questionnaire, and that New Jersey required students who attended a law school to serve a clerkship of at least nine months in the office of a practicing attorney. These two requirements were the only guides from other jurisdictions used in formulating the Pennsylvania plan.

The proposed plan and rules were considered and re-drafted several times, in conference between the committees of the Supreme Court, the State Board of Law Examiners, and the State Bar Association, before their approval by the Association at its 1927 meeting, and subsequently by the Supreme Court. In adopting the new rules, the court stipulated that "Rules 8 and 12, so far as they require registration with a preceptor and service of a six months clerkship before admission, shall not apply to students registering prior to January 1, 1928."

The principal points of the rules, adopted by the Supreme Court on September 30, 1927 (which appear in full as an appendix to this article), may be summarized thus: Every student at law must have as his preceptor a resident, active, member of the Pennsylvania Bar, who has enjoyed at least five years practice in the county where such student desires to register, and no law office may have more than three students at one time. Before anyone may register as a law student or take the preliminary examination, his preceptor must certify that he has personally known the candidate for at least six months, and must answer a searching questionnaire as to the applicant's environment, reputation and character. Each preceptor is required to keep in touch with his students, by correspondence or otherwise, particularly with such of them as may be attending law schools, and he must actively endeavor to help them "to understand the duties, responsibilities and temptations of

the profession." Moreover, he must endeavor to develop in the students an appreciation of the ethics of the profession, and, upon completion of a students' law course, he must "certify to the State Board concerning the character of the student and his fitness to become a creditable member of the bar." Under the rules, no certificate for registration as a law student will be issued by the State Board until it is satisfied that the applicant is of "good moral character," in addition to possessing the required preliminary education. In other words, if an applicant is not found to be of proper character he will be denied the privilege of taking the preliminary examination and of registering as a student at law in Pennsylvania.

In order to enable the State Board to do properly the work required by these new rules, the aid of the county boards of examiners will be employed, and where no such bodies exist, the courts of common pleas will be asked to appoint them. In every case, at least two members of the local board are to answer separate questionnaires concerning their knowledge, directly or indirectly acquired, of the environment and character of each candidate for registration in their county. Such a questionnaire is to be answered also by each of three "reputable citizens" of the neighborhood or community in which the candidate resides; and the latter himself is subjected to a most searching set of questions.

If the applicant is permitted to register as a student, he must devote himself to the study of the law for at least three years, as prescribed by the rules, and another searching investigation into his character is to take place before he shall be permitted to enter the law examinations. Finally, before a candidate may be admitted to the bar, he must serve a clerkship in his preceptor's office, of at least six months. This rule as to clerkship, which will particularly benefit students who attend law schools, requires regular daily service in the preceptor's professional business and

under his direction for at least six hours a day during usual office hours; but the six months specified need not be continuous.

The idea of requiring students to serve a clerkship of six months in a law office was proposed by the Committee on Legal Education of the State Bar Association years ago in a report, submitted July 8, 1896, on the general subject of uniform requirements for admission to the bar throughout Pennsylvania. After long continued consideration by the State Bar Association, by a convention of judges and members of examining committees, held in Philadelphia December 29, 1896, and, finally, by the State Supreme Court, this movement for uniform requirements led to the adoption, on May 26, 1902, of the plan for a State Board of Law Examiners which has, ever since, worked well in Pennsylvania.

The matter of admission to the bar has in our State always been considered a judicial question; but, in point of fact, such control over it as the Supreme Court has undertaken to exercise has usually been at the suggestion of the bar. In the adoption of the original rules for the creation of a State Board of Law Examiners, and of the present rules, the Supreme Court has not only allowed the bar to participate through representatives, but has also actively worked with such representatives. The hearty cooperation of both the bench and bar, throughout the state, is essential to the success of the present rules, and it is earnestly hoped this will be forthcoming. Our united effort must be to impress upon all concerned, particularly upon young men and women who wish to enter the profession, an appreciation of the fact that a lawyer's first desire should be for service, and that only those whose characters reflect that sort of moral sense which would realize this important fact are fit to practice law. If the new rules help in any marked degree to accomplish this result, the thought and work involved in their promulgation will not have been in vain.

THE NEWLY ADOPTED RULES.

AND NOW, September 30, 1927, it is ordered that Rules 6 to 13 (inclusive) of the Supreme Court be revoked, as of January 1, 1928, and that the following rules be substituted for them: provided that Rules 8 and 12, so far as they require registration with a preceptor and service of a six months' clerkship before admission, shall not apply to students registered prior to January 1, 1928, the effective date of these rules.

Rule 6. The State Board of Law Examiners shall consist of five members of the bar appointed by this court. They shall hold office during the pleasure of the court, for a term not exceeding five years, and shall be eligible for but one reappointment. They shall serve without compensation, but shall be reimbursed their traveling and other expenses. The board may, with the approval of the court, appoint examiners to superintend the examinations and to report upon the answers of the candidates, but it shall be responsible to the court for enforcement of the rules and orders relating to registration and admission to the bar, and for the ascertainment of the results of the examinations. It may appoint a secretary and a treasurer, or the same person to both offices, an assistant secretary, and such clerks as may be needed, and, after deducting all necessary expenses, may pay to each examiner, to the secretary and treasurer, to the assistant secretary, and to the clerks, a reasonable compensation out of any balance on hand.

Examinations for registration of students at law, for the benefit of those who have not received a degree from some college or university recommended by the board and approved by the court, shall be conducted as in the past until January 1, 1928, after which date such examinations shall be held, after due notice, at least once in each year, by the College Entrance Examination Board, as provided in Rule 10. Examinations for admission to the bar shall be conducted in writing, and shall be held, after due notice, at least twice a year, simultaneously in the cities of Philadelphia and Pittsburgh. It shall be the duty of the State Board of Law Examiners to prepare, for gratuitous distribution among intending applicants for registration or admission, a paper containing detailed information concerning the subjects for the examination. Applicants who are permitted to register without examination, under Rule 10, must pay to the board a fee of twenty-five dollars (\$25) upon registration; applicants who are required to take the preliminary examination must pay a fee of twenty-five dollars (\$25) at the time of notice of their intention to apply for

examination; provided that, if a second preliminary examination or any re-examination is necessary, the board may fix the amount of the fee. Candidates for admission to the bar must pay a fee of twenty-five dollars (\$25) at the time of giving notice of their intention to take the final examination.

Rule 7. No person shall be registered as a student at law, or be admitted to practice in this court, unless he produces a certificate from the board advising such registration or admission. No certificate of admission to the bar shall be granted unless the applicant therefor is a citizen of the United States, is twenty-one years of age, has resided in this State at least six months within the period of a year prior to his admission to our bar, has satisfied the board that he is sufficiently conversant with the English language to write it clearly and speak it readily, and has complied with the other requirements of these rules.

Rule 8. Every law student shall be registered with a member of the bar who has been engaged in active practice for at least five years, immediately preceding such registration, in the county in which the student registers, and who is willing to act as his preceptor; provided, that not more than three students shall be registered in any law office at one time.

Before an applicant shall be allowed to take the examination for registration, or to register, his prospective preceptor must certify (a) that he has known the applicant personally for at least six months immediately prior to the examination or registration; and must certify, (b) in such form as the board may prescribe, what he knows concerning the fitness and general qualifications (other than scholastic) of the applicant. Each preceptor shall require students registered with him, particularly those who are pursuing their legal studies in a law school, to keep in touch with him from time to time, by correspondence or otherwise, and shall help them to understand the ethics, duties, responsibilities, and temptations of the profession. He shall endeavor to develop in each student a high standard of character, and, upon completion of the student's law course, shall certify to the board what he knows of his character and fitness to become a creditable member of the bar. In the event of the death or incapacity of any student's preceptor, or upon notice to the board that the preceptor has refused to continue his duties, the student shall, within sixty (60) days thereafter, and with the consent of the board, select a new preceptor having the qualifications prescribed in this rule, and shall forthwith notify the board in writing of his selection, enclosing a written acceptance by the new preceptor.

Rule 9. No person shall be permitted to take an examination for registration, or to register, as a law student by virtue of a degree of a college or university, as provided by Rule 10, until answers to questionnaires, in a form prescribed by the board and approved by the court, have been filed, with the secretary of the State Board (a) by the applicant, (b) by his proposed preceptor, (c) by at least two members of the local Board of Law Examiners in the county where the applicant desires to register, or, in instances where such local board has less than five members, by at least one member of his local board and one member of any other board within the judicial district, in which his county is situated and (d) by three reputable citizens who are well acquainted with him (at least two of whom shall not be members of the bar), from each of the communities where the applicant has resided for the past three years prior to the time of filing his application: provided, that an applicant whose character, in the opinion of the board, does not meet the standard required for registration as a student at law may appeal from that decision to this court.

The secretary of the State Board of Law Examiners, on receipt of an application to register as a law student, or to take the examination for registration shall require the applicant to file with him the answers to an "Applicant's Questionnaire," as required by this rule and by Rule 10, and shall then immediately transmit to the secretary of the local Board of Law Examiners in the county where the applicant desires to register: (1) one copy of the application and the "Applicant's Questionnaire," with the answers thereto; (2) questionnaires to be answered by members of the local board; and (3) questionnaires to be answered by the applicant's proposed preceptor and the three reputable citizens, as provided in these rules.

(Note: Blank forms of questionnaires, prescribed by the board and approved by the court, as required by this rule, may be obtained from the secretary of the State Board of Law Examiners.)

Rule 10. No certificate for the registration of a law student shall be issued by the board (a) until it is satisfied that the applicant is of good character, and also has received a degree from some college or university recommended by the board and approved by the court, or has passed the general educational examinations conducted for the board by the College Entrance Examination Board in such subjects and required number of units, and with such grades, as the State Board of Law Examiners, with the approval of the court, may require, and until it is satisfied, by oral examination, of the applicant's knowledge of the spoken English language; (b) unless the candidate, at

least sixty (60) days before taking the aforesaid examination for registration, or, in cases where no preliminary general educational examination is required by these rules, at least sixty (60) days before registration, shall have filed in duplicate with the secretary of the board an application for registration and answers, under oath or affirmation, to an "Applicant's Questionnaire," in the form prescribed by the board, as provided in Rule 9; and (c) until all the prerequisites to registration as a law student, as prescribed in Rule 9, have been complied with.

Rule 11. Except as otherwise provided in these rules, no one shall be entitled to take an examination for admission to this bar unless he shall have studied law for at least three years after registration, which fact shall be evidenced (a) by a certificate from the dean of a law school which requires an average of at least ten hours' instruction per week for eight months in each of three years, or of a law school which requires an average of at least eight hours' instruction per week for eight months in each of four years, that the applicant has successfully completed the regular course of the school; or (b) by a certificate from his preceptor that the applicant has served a bona fide clerkship in the office of the former for a period of at least three years; or (c), where the applicant has pursued his studies partly in a law school which requires at least the minimum amount of instruction prescribed in clause (a) above, and partly in the office of his preceptor, by a certificate from the dean of the law school which he attended setting forth the period or periods during which the applicant was in attendance and the subjects he studied, and his successful completion of the work required of him, and by a certificate from his preceptor that the applicant has served a bona fide clerkship in his office, during such times as he was not in attendance upon the law school, for the remainder of the period required by these rules: and unless (1) answers to questionnaires, in forms prescribed by the board and approved by the court, are filed with the secretary of the State Board at least four weeks before the date of the final examination (a) by the applicant, (b) by his preceptor, (c) by at least two members of the local Board of Law Examiners in the county where the applicant desires to register, or, in instances where the local board has less than five members, by at least one member of his local board and one member of any other board within the judicial district in which his county is situated, and (d) by three reputable citizens who are well acquainted with him (at least two of whom shall not be members of the bar), from each of the communities where the applicant has resided for the last three years; and (2) proof is submitted of advertisement of his intention to take the ex-

amination in such form, in such publications and for such period as the board may prescribe.

(Note: Blank forms of questionnaires, prescribed by the board and approved by the court, as required by this rule, may be obtained from the secretary of the State Board of Law Examiners.)

Rule 12. No person shall be admitted to practice in this court (a) until all the prerequisites to taking the examination for admission to the bar, as prescribed in Rule 11, have been complied with; (b) until he shall have passed a satisfactory examination in constitutional law, including the Constitutions of the United States and Pennsylvania, professional ethics, Blackstone's Commentaries, common law pleading and practice, Pennsylvania practice, the statutes of this State relating to real and personal property, equity, evidence, decedents' estates, landlord and tenant, contracts, commercial law, partnerships, corporations, employers' liability, crimes, torts and domestic relations, the acts of Congress relating to bankruptcy, and such other Federal and Pennsylvania statutes and decisions as shall from time to time be prescribed by the board, with the approval of the court; and (c) until he shall have served a clerkship in the law office of his preceptor for a period of at least six months, which clerkship shall consist of daily service (vacations and ordinary interruptions excepted), on usual business days, during regular office hours, in the preceptor's legal business and under his direction, for at least six hours a day, during which hours the applicant shall not be occupied in any manner incompatible with the fair and bona fide service of his clerkship: provided that this clerkship may be served either continuously for six months or at different times aggregating six months.

Rule 13. An attorney of the court of last resort of another State, who was not a resident of Pennsylvania at the time of his admission to the bar of that court or during the period of one year hereinafter mentioned, may, in the discretion of the board, be permitted to take an examination for admission to our bar without previous registration, if he satisfies the board of his good character, in the manner required of students at law registered in accordance with these rules, and as to his general education, and presents a certificate from the court of last resort of the State from which he came, stating that the applicant is in good standing at the bar of that court and has actively practiced in the courts of that State for at least one year: provided, that the board shall not issue a certificate recommending an applicant's admission to the bar until he satisfies the board of his residence in this State for the six months period required by Rule 7 and

also meets the other conditions specifically stated in that rule as prerequisites to the granting of such certificate.

An attorney of the court of last resort of another State who was not a resident of Pennsylvania at the time of his admission to the bar of that court or during the period of eight years hereafter mentioned, may, in the discretion of the board, be recommended for admission to our bar without examination if he satisfies the board of his good character, in the same manner required of students at law registered in accordance with these rules, and as to his general education, and presents a certificate from the court of last resort of the State from which he came stating that the applicant is in good standing at the bar of that court and has actively practiced in the courts of that State for at least eight years: provided, that the board shall not issue a certificate recommending the applicant's admission to the bar until he satisfies the board of his residence in this State for the six months period required by Rule 7 and also meets the other conditions specifically stated in that rule as prerequisites to the granting of such certificate.

If any such attorney of another State is refused permission to take the examination for admission to this bar, or if the board refuses to recommend him for admission without examination, he may appeal from such ruling to this court.

(Signed) R. von M., C. J.

AND NOW, September 30, 1927, the following forms of questionnaires to be used in connection with the new rules to be adopted by this court, providing for registration of students at law, and for admission to the bar, and which have been suggested in substance by the Pennsylvania Bar Association, are approved by the Supreme Court; and it is ordered that they be submitted to the local Boards of Law Examiners for their consideration and comment, before final approval by us.

(Signed) R. von M., C. J.

IN RE: REGISTRATION AS A STUDENT AT LAW.
APPLICANT'S QUESTIONNAIRE.

1. State your name.
Date of birth.
Birthplace.

also meets the other conditions specifically stated in that rule as prerequisites to the granting of such certificate.

An attorney of the court of last resort of another State who was not a resident of Pennsylvania at the time of his admission to the bar of that court or during the period of eight years hereafter mentioned, may, in the discretion of the board, be recommended for admission to our bar without examination if he satisfies the board of his good character, in the same manner required of students at law registered in accordance with these rules, and as to his general education, and presents a certificate from the court of last resort of the State from which he came stating that the applicant is in good standing at the bar of that court and has actively practiced in the courts of that State for at least eight years: provided, that the board shall not issue a certificate recommending the applicant's admission to the bar until he satisfies the board of his residence in this State for the six months period required by Rule 7 and also meets the other conditions specifically stated in that rule as prerequisites to the granting of such certificate.

If any such attorney of another State is refused permission to take the examination for admission to this bar, or if the board refuses to recommend him for admission without examination, he may appeal from such ruling to this court.

(Signed) R. von M., C. J.

AND NOW, September 30, 1927, the following forms of questionnaires to be used in connection with the new rules to be adopted by this court, providing for registration of students at law, and for admission to the bar, and which have been suggested in substance by the Pennsylvania Bar Association, are approved by the Supreme Court; and it is ordered that they be submitted to the local Boards of Law Examiners for their consideration and comment, before final approval by us.

(Signed) R. von M., C. J.

IN RE: REGISTRATION AS A STUDENT AT LAW.
APPLICANT'S QUESTIONNAIRE.

1. State your name.
Date of birth.
Birthplace.

State every residence you have had (with exact addresses and dates).

What other name or names, if any, have you used?

Has your name or the name of your father ever been changed?

If yes, from what to what; why and when?

If born in a foreign country, state age at which you came to the United States.

If naturalized, state when and where.

If claiming citizenship other than by birth or personal naturalization, state why.

2. State name and residence of parents, and their occupation during the past five years.
3. State all schools and colleges you have attended, the dates of attendance, any degrees received, any honors taken; names and present addresses of at least three instructors with whom you came into personal contact.
4. Were you ever dropped, suspended or expelled from school or college? If so, state facts fully.
5. Do you believe in the form of and are you loyal to the Government of the United States?
6. In what employment, if any, have you been engaged during attendance at school or college, or since leaving? State place of employment, name of employers, and dates of employment.
7. State (a) whether you have been a party to or otherwise involved in any legal proceeding, civil or criminal; (b) whether you have ever testified or been called as a witness in any such proceeding; (c) whether you have ever been arrested; or (d) summoned for a violation of any law or ordinance. Give full details including facts and disposition of the case, and the judgment of the Court if you were a party.
8. With what charitable or fraternal organization, church or religious body, if any, are you or your parents affiliated?
State location of church, and name and address of present pastor, priest, rabbi, or overseers, or local head of religious, charitable, or fraternal organization.
9. Give the names and addresses of three reputable citizens (at least two of whom shall not be members of the bar) of the community where you now reside who know you well and to whom you refer as to your character. If you have resided for less than three years in the community where you now

reside, then also the names and addresses of three reputable citizens of the other community, or communities, respectively, where you have resided for three years last past.

10. Do you wish to adopt the legal profession for a life work?
11. Experience shows that the income of the average practicing lawyer from his profession is much less than that of the average business man from his business; knowing this, why do you wish to be admitted to the bar?
12. State the name and address of your proposed preceptor.
13. Do you wish to take the preliminary examination, or to register as a law student on a diploma from an accepted college?
14. In what county do you expect to register?
15. State where you expect to acquire your legal education?
16. State in a general way the plans for your future in the legal profession.

State of Pennsylvania, }
County of } ss.:

_____being duly sworn says: I have read the foregoing questions and have answered the same in my own handwriting fully and frankly. The answers are true of my own knowledge.

(Signature of Applicant)

Sworn to before me this_____day
of _____, 19_____

(Notary Public)

My commission expires_____

IN RE: REGISTRATION AS A STUDENT AT LAW.
SPONSOR'S OR PRECEPTOR'S QUESTIONNAIRE.

Questionnaire to be answered by_____
(Name of Sponsor)

of_____Penna., sponsor
(Place of Residence, City or Town and County)

for _____ an applicant
(Name of Applicant) (Residence of Applicant)
for registration as a law student.

1. Are you actively engaged in the practice of law at the present time?
2. How long have you been practicing law?
3. How long have you been practicing in the county where you are now located?
4. How long have you known the applicant?
5. State fully how intimately you know him.
6. How frequently and how intimately have you come into contact with him during the past six months?
7. What opportunities have you had for forming an opinion of his character?
8. What reasons has the applicant given you for having selected the profession of law as a vocation? State fully.
9. Does the applicant know that the monetary rewards of a lawyer are ordinarily much less than those of a person engaged in a commercial business, and notwithstanding this knowledge does he desire to be admitted to the bar?
10. Do you believe that the applicant has a deep-seated sense of the difference between right and wrong? Answer fully and state reasons.
11. Do you believe that, if the applicant comes to the bar, his conduct will be regulated by a desire to do what he believes to be right rather than a desire to act primarily for financial gain? Answer fully.
12. Do you know the applicant's family; if so, how long have you known them, what members of the family do you know—naming them, as father, mother, brother, sister, etc.—and how long and intimately have you known each? State fully.
13. Are the applicant's parents native or foreign born? If foreign born, are they naturalized?
14. What is the reputation of the parents in the community in which they reside?
15. How long have they resided in the locality where they now reside? If less than five years state previous residence.
16. What is the father's occupation? If changed in the past five years, so state, and state former occupation or occupations.

17. How many children are there in the family?
18. State the general character of education provided for each of the children by their parents, and especially for the applicant.
19. If possible, interview one of the applicant's last educational instructors and state in detail what he said concerning the applicant's industry, integrity, and sense of right and wrong.
20. If the applicant has been employed, state the character of employment, when and where employed, and by whom, and if possible interview some of his employers and state fully what they say concerning the applicant's industry, integrity and sense of right and wrong.
21. What is the applicant's reputation in the community in which he lives, or in that from which he has lately removed?
22. Do you believe that he has a well-defined comprehension of a lawyer's obligation to courts and to clients, and that he distinguishes between the practice of law as a profession and the practice of law merely as a commercial enterprise?
23. If any of the foregoing information is from sources other than personal knowledge, state the sources.
24. What is the reputation of his intimate associates?
25. What elements of character do you consider essential in an applicant to make him a creditable member of the legal profession? Which of these does this applicant possess? Which, if any, does he lack? Answer fully.
26. Are you willing to act as preceptor to the applicant, either by having him read law in your office or, if he pursues his legal studies in a law school, are you willing to keep in touch with him during the period of studentship and have him serve a clerkship of six months in your office prior to his application for admission to the bar?
27. Will you instruct him in regard to the ethics, duties, responsibilities and temptations of the profession, and endeavor to develop in him a high standard of character?
28. Do you recommend the applicant for registration as a law student?

I hereby certify that the information given in the foregoing answers is, where given from personal knowledge, correct, and where given from information received from others, has been obtained from sources which I believe to be reliable.

IN RE: REGISTRATION AS A STUDENT AT LAW.
LOCAL EXAMINING BOARD'S QUESTIONNAIRE.

Questionnaire concerning the fitness of _____
(Name of Applicant)

of _____, County of _____ Pa.,
for registration as a law student. To be answered by _____
one of the members of the Board of Law Examiners for _____
County, Pa.

1. How long have you been a member of the local bar where you are now located?
2. How long have you been a member of the local examining board where you are now located?
3. Do you know the above-named applicant personally, and how long, and during what period, have you known him?
4. If you know the applicant personally, how intimately and under what circumstances have you come into contact with him?
5. State fully what investigation you have made to satisfy yourself of the applicant's fitness or lack of fitness for registration as a law student?
6. Have you interviewed the applicant within thirty days prior to answering this questionnaire?
7. What is your opinion as to his integrity?
8. Do you know personally any of the persons who have vouched for the good character and integrity of the applicant?
9. From what you know of them personally, or from the information you have been able to ascertain from others, do you believe the persons who have vouched for the character and integrity of the applicant are people of good standing in their respective communities?
10. What reasons has he given you for selecting the profession of law as a vocation? State fully.
11. Does the applicant know that the monetary rewards of a lawyer are ordinarily much less than those of a person engaged in commercial business; and if, notwithstanding this knowledge, he desires to be admitted to the bar, has he told you why?
12. Why has he selected the profession of law as a vocation rather than the pursuit of a business career, when a business career would bring larger financial rewards?

- IN RE: REGISTRATION AS A STUDENT AT LAW.
CITIZEN'S QUESTIONNAIRE.

Questionnaire concerning the fitness of _____
(Name of Applicant)
of _____, County of _____, for registration
as a law student. To be answered by _____
(Name of Citizen)
of _____, County of _____, State of _____.

1. Please state your name.

Address _____, _____, _____
(Street) (City) (State)

Occupation.

2. How long have you known the applicant?
3. State fully how intimately you know him.
4. How frequently, how intimately and under what circumstances have you come into contact with him since you have known him?
5. What opportunities have you had for forming an opinion of his character?
6. What is the reputation of his intimate associates?
7. What is the applicant's reputation as to reliability, industry, initiative, sense of honor, force of character and general standing in the community in which he lives?
8. Do you believe he has a deep-seated sense of the difference between right and wrong? Answer fully and state reasons.
9. In practicing law, do you believe his conduct would be regulated by a desire for financial gain alone or also by a desire to do what he believes to be right? Answer fully.
10. How long and how intimately have you known the members of the applicant's immediate family? Give names and relationship.
11. What is the general reputation and standing of his family in the community?
12. Do you believe the applicant has the elements of character necessary to make him a creditable member of the legal profession? Answer fully.
13. If any of the foregoing information is from sources other than personal knowledge, state the sources.
14. Do you recommend the applicant for registration as a law student?

I hereby certify that the information given in the foregoing answers is, where given from personal knowledge, correct, and, where given from information received from others, has been obtained from sources which I believe to be reliable.

IN RE: ADMISSION TO FINAL EXAMINATION.
APPLICANT'S QUESTIONNAIRE.

1. State your name.
Date of birth.
Birthplace.
State every residence you have had (with exact addresses and dates).
What other name or names, if any, have you used?
Has your name or the name of your father ever been changed?
If yes, from what to what; why and when?
If born in a foreign country, state age at which you came to the United States.
If naturalized, state when and where.
If claiming citizenship other than by birth or personal naturalization, state why.
2. State the date of your registration as a law student and whether you were registered on a degree, State Board preliminary examination, or College Entrance Board examination.
3. State the name and address of your preceptor.
4. State how you propose to qualify for final examination, whether on law school attendance, on clerkship in a law office, or partly on law school attendance and partly on clerkship in a law office.
5. If qualifying on law school attendance, state the school or schools you have attended, and the dates of the semesters you were in attendance; your status with respect to the work required at the end of the course or at the end of each semester or year, as the case may be; the degree received and honors taken; the names and present addresses of at least three instructors with whom you came into contact.
6. In qualifying on law school attendance, state whether the clerkship of six months required by Rule 12 has been served; if so, with whom and between what dates; if not, your arrangement with respect to serving such clerkship.
7. If qualifying on a clerkship, state with whom and between what dates the clerkship has been served, the average number of hours served and the nature of the studies, instruction and duties incident thereto; and whether the work was entirely legal, or in part as a stenographer, accountant, office boy, or otherwise.

8. If qualifying partly on law school attendance and partly on clerkship, give the information required by questions 7 and 5, in so far as may be pertinent.
9. Were you ever dropped, suspended or expelled from school, college, or law school? If so, state facts fully.
10. Give the names and addresses of three reputable citizens (at least two of whom shall not be members of the bar), of the community where you now reside, who know you well and to whom you refer as to your character. If you have resided for less than three years in the community where you now reside, then also the names and addresses of three reputable citizens of each of the communities where you have resided during three years last past.
11. Do you believe in the form of and are you loyal to the Government of the United States?
12. State (a) whether you have been a party to or otherwise involved in any legal proceeding, civil or criminal; (b) whether you have ever testified or been called as a witness in any such proceeding; (c) whether you have ever been arrested; or (d) summoned for a violation of any law or ordinance. Give full details including facts and disposition of the case, and the judgment of the Court, if you were a party.
13. With what charitable or fraternal organization, church or religious body, if any, are you or your parents affiliated? State location of church, and name and address of present pastor, priest, rabbi, or overseers, or local head of religious, charitable, or fraternal organization.
14. What, if any, have been your activities of a public nature or along the lines of philanthropy or social service?
15. Do you intend to adopt the legal profession as a life work?
16. Have you ever applied for admission to practice as an attorney or counselor in any court in any other state or country or in any county of Pennsylvania? If so, specify when and where and what disposition was made of the application; if granted, whether you were admitted, giving the date and place of admission and the period and places where you have practiced. Have you ever been reprimanded, censured, suspended, or disbarred, or have any charges ever been preferred against you, and if so, with what result?
17. Is there any incident in your career, favorable or unfavorable, not hereinbefore referred to, having a bearing upon your

character or fitness for admission to the bar? If so, give full details.

18. In what county do you expect to practice?

19. State in a general way the plans for your future in the legal profession.

State of Pennsylvania, }
County of } ss.:

_____, being duly sworn says: I have read the foregoing questions and have answered them in my own handwriting fully and frankly. The answers subscribed by me are true of my own knowledge.

(Signature of Applicant)

Sworn to and subscribed before me this

_____ day of _____,
19____.

(Notary Public)

My Commission expires _____

IN RE: ADMISSION TO FINAL EXAMINATION.
PRECEPTOR'S QUESTIONNAIRE.

Questionnaire to be answered by _____

(Name of Preceptor)

of _____ Penna., preceptor

(Place of Residence, City or Town or County)

for _____ an applicant

(Name of Applicant) (Residence of Applicant)

for admission to the Bar.

1. Are you actively engaged in the practice of law at the present time?
2. How long have you been practicing law?
3. How long have you been practicing in the county where you are now located?

4. How long have you known the applicant?
5. State fully how intimately you know him.
6. During what period have you acted as his preceptor?
7. State in detail the nature and extent of his work in your office—whether entirely legal, or in part as a stenographer, accountant, office boy, or otherwise.
8. How frequently and how intimately have you come into contact with him during the past three years?
9. What opportunities have you had to form an opinion of his character?
10. What reasons has he given you for having selected the profession of law as a vocation? State fully.
11. Do you believe that he has a deep-seated sense of the difference between right and wrong? Answer fully and state reasons.
12. Do you believe that in practicing law his conduct will be regulated by a desire for financial gain alone or also by a desire to do what he believes to be right? Answer fully.
13. If he has been employed, in your office or elsewhere, state character of employment, when and where employed and by whom, and, if possible, interview his employers and state fully what they say concerning his industry, integrity and sense of right and wrong.
14. What is his reputation in the community in which he lives, or in that from which he has lately removed?
15. Do you believe that he has a well defined comprehension of a lawyer's obligation to courts and to clients, and that he distinguishes between the practice of law as a profession and the practice of law merely as a commercial enterprise?
16. If any of the foregoing information is from sources other than personal knowledge, state the sources.
17. What is the reputation of his intimate associates?
18. What elements of character do you consider essential in an applicant to make him a creditable member of the legal profession? Which of these does this applicant possess? Which, if any, does he lack? Answer fully.
19. Do you believe that he understands the ethics, duties, responsibilities and temptations of the profession?
20. Do you recommend the applicant for admission to the bar?

I hereby certify that the information given in the foregoing answers is, where given from personal knowledge, correct, and, where given from information received from others, has been obtained from sources which I believe to be reliable.

IN RE: ADMISSION TO FINAL EXAMINATION.
LOCAL EXAMINING BOARD'S QUESTIONNAIRE

Questionnaire concerning the fitness of _____
(Name of Applicant)

of _____, County of _____, Pa.,
for admission to the Bar. To be answered by _____
one of the members of the Board of Law Examiners for _____
County, Pa.

1. How long have you been a member of the local bar where you are now located?
2. How long have you been a member of the local examining board where you are now located?
3. Do you know the applicant personally; how long and during what period have you known him?
4. If you know him personally, how intimately and under what circumstances have you come into contact with him during the past three years?
5. State fully what inquiries and what investigations you have made to satisfy yourself of his fitness or lack of fitness for admission to the bar.
6. Have you interviewed him within thirty days prior to answering this questionnaire?
7. What is your opinion as to his integrity?
8. Do you know personally any of the persons who have vouched for his good character and integrity?
9. Do you believe he has a deep-seated sense of the difference between right and wrong? Answer fully and state reasons.
10. From what you know of him personally and from the investigation that you have made among those who know him personally, do you believe his conduct in practicing law would be regulated by a desire for financial gain alone or also by a

desire to do what he believes to be right and honorable?
Answer fully and state reasons.

11. What is his reputation in the community in which he lives or in that from which he has lately removed?
12. Do you believe that he has a well defined comprehension of a lawyer's obligation to courts and clients that he distinguishes between the practice of law as a profession and the practice of law merely as a commercial enterprise.
13. Do you believe that he has the elements of character necessary to make him a creditable member of the legal profession?
14. Do you recommend his admission to the bar?

IN RE: ADMISSION TO FINAL EXAMINATION.
CITIZEN'S QUESTIONNAIRE.

Questionnaire concerning the fitness of _____,
(Name of Applicant)
of _____, County of _____, Pa.,
for admission to the Bar. To be answered by _____,
(Name of Citizen)
of _____, County of _____, Pa.,
State of _____.

1. Please state your name.

Address _____,
(Street) (City) (State)

Occupation.

2. How long have you known the applicant?
3. State fully during what period and how intimately you have known him?
4. How frequently and how intimately and under what circumstances have you come into contact with him?
5. What opportunities have you had for forming an opinion of his character?
6. What is the reputation of his intimate associates?
7. What is his reputation for reliability, industry, initiative, sense of honor, force of character and general standing in the community in which he lives?

8. Do you believe that he has a deep-seated sense of the difference between right and wrong? Answer fully and state reasons.
9. Do you believe that in practicing law his conduct would be regulated by a desire for financial gain alone or also by a desire to do what he believes to be right? Answer fully.
10. How long and how intimately have you known the members of his immediate family? Give names and relationship.
11. What is the general reputation and standing of his family in the community?
12. Do you believe the applicant has the elements of character necessary to make him a creditable member of the legal profession? Answer fully.
13. If any of the foregoing information is from sources other than personal knowledge, state the sources.
14. Do you recommend the applicant for admission to the bar?

I hereby certify that the information given in the foregoing answers is, where given from personal knowledge, correct, and where given from information received from others, has been obtained from sources which I believe to be reliable.

AND NOW, September 30, 1927, the following rules, suggested by the Pennsylvania Bar Association for adoption by the several courts of common pleas throughout the Commonwealth of Pennsylvania, are approved, as to their form and general substance, by the Supreme Court, as appropriate for carrying into execution the general rules of this court relating to students at law and admissions to the bar:

"1. The court shall appoint annually from the members of the local bar in active practice, who have been admitted for at least ten years, a county board of law examiners, consisting of as many members as the court may deem necessary to perform the duties imposed upon them.

"2. When the secretary of the county board of law examiners receives a notice, together with questionnaires, from the secretary of the State Board of Law Examiners, that any person has applied for registration as a law student with a preceptor in the county, or that any person registered with a preceptor in the county has applied for

permission to take the examination for admission to the bar of the Supreme Court, he shall deliver two copies of the questionnaire provided for that purpose to two members of the local board, who shall thereupon promptly interview the applicant, and make such other and further investigations as may be necessary to enable them to answer the questions fully and reliably. The secretary of the local board shall also require, from each of the persons named by the applicant for reference, a written certificate, in a form prescribed by the State Board, stating what each of such persons knows about the applicant's character. These certificates, and the certified answers to questionnaires made by members of the local board, shall be sent to the secretary of the State Board of Law Examiners within 30 days from the receipt of the original notice.

"The secretary of the local board shall keep the secretary of the State Board advised of the names of the members of the local board."

(Signed) R. von M., C. J.